

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

QIANG DU,

Plaintiff,

v.

BSH.COM, an internet domain name, and  
JOHN DOE,

Defendants.

Civil Action No. 1:17-cv-698-LMB-MSN

**PLAINTIFF'S RESPONSE TO BSH.COM  
AND LIU XIAOSHENG'S MOTION TO DISMISS**

Plaintiff Qiang Du (“Plaintiff”), by counsel, hereby responds to the Motion to Dismiss filed by BSH.COM and Liu Xiaosheng (“Defendants”) and states that the Defendants’ Motion should be denied as moot. Concurrently with this response, Plaintiff filed a First Amended Verified Complaint. The First Amended Verified Complaint supersedes the original complaint against which Defendants moved, and the Motion to Dismiss is therefore moot. *See, e.g., Nat'l Union Fire Ins. Co. of Pittsburgh, PA v. Brickyard Vessels, Inc.*, No. 1:14-cv-921, 2014 WL 12551214, at \*1 (E.D. Va. Oct. 16, 2014) (“It is well settled that an amended pleading supersedes the original pleading, and motions directed at superseded pleadings are to be denied as moot. . . . Accordingly, the Court will deny Plaintiff’s pending Motion to Dismiss the Counterclaim as moot.”).

For the foregoing reasons, Plaintiff requests that this Court deny the Defendants’ Motion to Dismiss as moot and grant such further relief as this Court deems proper.

Dated: August 24, 2017      By: /s/ Attison L. Barnes, III /s/  
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## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing has been served on August 24, 2017 via the Court's ECF system upon all counsel listed below:

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